PATENT COOPERATION TREATY

(-5)

PCT

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

4/8

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference	FOR FURTHER ACTION
see form PCT/ISA/220	See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/DK2005/000043	24.01.2005	22.01.2004

International Patent Classification (IPC) or both national classification and IPC
B42F7/02, B42F7/06, B31B41/00, G11B33/04

Applicant
3L-LUDVIGSEN A/S

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:

European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Louvion, B

Telephone No. +49 89 2399-2845

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/DK2005/000043

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

   ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material:

   ☐ in written format

   ☐ in computer readable form

   c. time of filing/furnishing:

   ☐ contained in the international application as filed.

   ☐ filed together with the international application in computer readable form.

   ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-36
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-36
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-36
	No:	Claims	

2. Citations and explanations

see separate sheet

I. Ad Section I.:

1 Reference is made to the following documents:

D1 : GB 2 324 784 A (CHEN SU HSIANG WU) 4 November 1998 (1998-11-04)

D2 : US 6 032 795 A (EHRLUND AAKE ET AL) 7 March 2000 (2000-03-07)

D3 : FR 2 418 518 A (THOMSON BRANDT) 21 September 1979 (1979-09-21)

D4 : US 5 501 326 A (SHUHSIANG WU C) 26 March 1996 (1996-03-26)

D5 : US 5 595 293 A (MILLER ET AL) 21 January 1997 (1997-01-21)

II. Ad Section V.:

2 None of the cited documents discloses all the features of claims **1, 17** and **29.**

2.1 The subject-matter of claims **1, 17** and **29** is therefore novel (Article 33(2) PCT).

3 Claim **1**: Document **D1**, which is considered to represent the most relevant state of the art, discloses a device from which the subject-matter of claim **1** differs in that :

(1) The sleeve comprises at least **four** layers;

(2) The sleeve has no second central sheet;

3.1 Claim **17**: Document **D1**, which is considered to represent the most relevant state of the art, discloses a device from which the subject-matter of claim **17** differs in that :

(3) The sleeve holder has a plurality of parallel ribs each having two rib sides and forming between them ... clearances in the slots (Claim 17, page 28, ll.2-6).

3.2 Claim **29**: Document **D1**, which is considered to represent the most relevant state of the art, discloses a device from which the subject-matter of claim **29** differs in that :

(3) The sleeve holder has a plurality of parallel ribs each having two rib sides and forming between them ... clearances in the slots (Claim 29, page 29, l.32-page 30 l. 4);

(4) The projections ... in the holder (Claim 29, page 30, ll.5-6).

3.3 As none of the cited documents renders obvious the characterising features of the independent claims **1, 17** and **29** in combination with **D1**, the claims **1, 17** and **29** of the present application are considered as involving an inventive step (Article 33(3) PCT).

4 Claims **2-16, 18-28** and **30-36** are dependent on claims **1, 17** and **29** respectively

and as such also meet the requirements of the PCT with respect to novelty and inventive step.

5 The claimed invention for which protection is sought can be made or used (in the technological sense) in any kind of industry and shall therefore be considered industrially applicable according to Article 33(4)PCT.

6 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document **D1** is not mentioned in the description, nor is this document identified therein.

7 The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT). This applies to both the preamble and characterising portion.

P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
(070) 3 40 20 40
FAX (070) 3 40 30 16

Europäisches Patentamt | **European Patent Office** | **Office européen des brevets**

Generaldirektion 1 | Directorate General 1 | Direction générale 1

J RGENSEN, Bj rn, Barker
International Patent-Bureau A/S
H je Taastrup Boulevard 23
DK-2630 Taastrup
DANEMARK

EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date
08.06.06

Reference	Application No./Patent No.
	05700593.6 - 2304 PCT/DK2005000043
Applicant/Proprietor	
3L-LUDVIGSEN A/S	

Entry into the European phase before the European Patent Office

These notes describe the procedural steps required for entry into the European phase before the European Patent Office (EPO). You are advised to read them carefully: failure to take the necessary action in time can lead to your application being deemed withdrawn.

1. The above-mentioned international patent application has been given European application No. **05700593.6**.

2. Applicants **without** a residence or their principal place of business in an EPC contracting state may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date (see also point 6 below).

   During the European phase before the EPO as designated or elected Office, however, such applicants must be represented by a professional representative (Arts. 133(2) and 134(1), (7) EPC).

   Procedural acts performed after expiry of the 31st month by a professional representative who acted during the international phase but is not authorised to act before the EPO have no legal effect and therefore lead to loss of rights.

   Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise, the EPO has to send all communications direct to the applicant.

3. Applicants **with** a residence or their principal place of business in an EPC contracting state are not obliged to appoint, for the European phase before the EPO as designated or elected Office, a professional representative authorised to act before the EPO.
   However, in view of the complexity of the procedure it is recommended that they do so.

4. Applicants and professional representatives are also strongly advised to initiate the European phase using EPO Form 1200 (available free of charge from the EPO). This however is not compulsory.

5. **To enter the European phase before the EPO**, the following acts must be performed.
(N.B.: Failure validly to do so will entail loss of rights or other adverse legal consequences.)

5.1 If the EPO is acting as **designated** or **elected** Office (Arts. 22(1)(3) and 39(1) PCT respectively), applicants must, within 31 months from the date of filing or (where applicable) the earliest priority date:

a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such a language (Art. 22(1) PCT and R. 107(1)(a) EPC).
If the translation is not filed in time, the international application is deemed withdrawn before the EPO (R. 108(1) EPC).
This loss of rights is deemed not to have occurred if the translation is then filed within a two-month grace period as from notification of an EPO communication, provided a surcharge is paid at the same time (R. 108(3) EPC).

b) Pay the national basic fee (EUR 170,00) and, where a supplementary European search report has to be drawn up, the search fee (EUR 720,00 ; R. 107(1)(c) and (e) EPC).

c) If the time limit under Article 79(2) EPC expires before the 31-month time limit, pay the designation fee (EUR 80,00) for each contracting state designated (R. 107(1)(d) EPC).

d) If the time limit under Article 94(2) EPC expires before the 31-month time limit, file the written request for examination **and** pay the examination fee (EUR 1490,00 ; R. 107(1)(f) EPC).

e) Pay the third-year renewal fee (EUR 400,00) if it falls due before expiry of the 31-month time limit (R. 107(1)(g) EPC).

If the fees under (b) to (d) above are not paid in time, or the written request for examination is not filed in time, the international application is deemed withdrawn before the EPO, or the contracting-state designation(s) in question is (are) deemed withdrawn (R. 108(1) and (2) EPC). However, the fees may still be validly paid within a two-month grace period as from notification of an EPO communication, provided the necessary surcharges are paid at the same time (R. 108(3) EPC). For the renewal fee under (e) above, the grace period is **six** months from the fee's due date (Art. 86(2) EPC).

For an overview of search and examination fees, see OJ EPO 11/2005, 577 and 03/2006.

5.2 If the application documents on which the European grant procedure is to be based comprise more then ten claims, a claims fee is payable within the 31-month time limit under Rule 107(1) EPC for the eleventh and each subsequent claim (R. 110(1) EPC). The fee can however still be paid within a one-month grace period as from notification of an EPO communication pointing out the failure to pay (R. 110(2) EPC).

6. If the applicant had a representative during the application's international phase, the present notes will be sent to the representative, asking him to inform the applicant accordingly.

All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.

7. For more details about time limits and procedural acts before the EPO as designated and elected Office, see the EPO brochure

   How to get a European patent
   Guide for applicants - Part 2
   PCT procedure before the EPO - "Euro-PCT"

   This brochure, the list of professional representatives before the EPO, Form 1200 and details of the latest fees are now all available on the Internet under

   http://www.european-patent-office.org

Receiving section